United Nations CAT/C/SR.1674/Add.1

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

Distr.: General
23 August 2018

Original: English

Committee against Torture
Sixty-fourth session

Summary record of the second part (public)* of the 1674th meeting
Held at the Palais Wilson, Geneva, on Tuesday, 7 August 2018, at noon

Chair: Mr. Modvig

Contents

Organizational and other matters (*continued*)

Meeting with staff of the Human Rights Treaty Division

* The summary record of the first part (closed) of the meeting appears as document CAT/C/SR.1674.

This record is subject to correction. Corrections should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of the present record to the Documents Management Section (DMS-DCM@un.org).

Any corrected records of the public meetings of the Committee at this session will be reissued for technical reasons after the end of the session.

GE.18-13118 (E) 220818 230818

1813118

Please recycle

The public part of the meeting was called to order at noon.

Organizational and other matters (*continued*)

Meeting with staff of the Human Rights Treaty Division

1. **Mr. Korkeakivi** (Office of the United Nations High Commissioner for Human Rights (OHCHR)), recalling that the focus of the meeting of the Chairs of the human rights treaty bodies in May 2018 had been on the overall review of the effectiveness of measures taken pursuant to General Assembly resolution 68/268 (the "2020 review"), said that both the Chairs and the representatives of Member States had made it clear that it was important to hear the views of the treaty bodies themselves on the treaty body strengthening process. Work was therefore under way to develop a common shared vision. He hoped that all treaty bodies would follow up on the call by the Chairs to identify focal points for the intersessional discussions on the matter and use the list of questions that the Chairs had shared with all treaty bodies as a springboard for discussion.

2. The meeting with the Secretary-General had been another important element of the meeting of the Chairs of the human rights treaty bodies. The Secretary-General had been informed of the treaty bodies' concerns, including those relating to allocation of resources — in particular the fact that, while General Assembly resolution 68/268 had resulted in a number of initiatives, the required resources had not followed. Many of those concerns had been addressed in the Secretary-General's report to the General Assembly on the status of the treaty body system, which was in the process of being edited. It was to be hoped that the report would inspire positive action by Member States in the General Assembly with regard to funding under the 2020–2021 budget.

3. **Mr. Nowosad** (Office of the United Nations High Commissioner for Human Rights), noting that 2020 was fast approaching, said that it was important for all the treaty bodies to use their political and intellectual capital to reflect on the review process and to work together in the intersessional dialogue. With regard to the OHCHR staffing situation, some staff members would be redeployed within the Human Rights Treaty Division. In addition, the Division was working closely with the Department of Economic and Social Affairs at United Nations Headquarters, which managed the Junior Professional Officers Programme, to try to mobilize greater resources from Member States for Junior Professional Officers, who were normally posted for two years. It was unlikely that the desired five posts would be approved, however, given the dire financial situation within the United Nations system.

4. Together with Mr. Korkeakivi, he had been working with the Geneva Academy of International Humanitarian Law and Human Rights on aligning methods for the simplified reporting procedure. It was hoped that a meeting with the Academy could be organized in the near future. The outcome would be reported to the 2019 meeting of the Chairs of the human rights treaty bodies.

5. **The Chair** said that he would appreciate more details of the work with the Geneva Academy on the simplified reporting procedure. Since the simplified procedure increased the front-loaded work for the secretariat, he wondered whether it would be feasible to expand its use, given the secretariat's resource constraints.

6. **Mr. Hani** said that, although Ms. Gaer had carried out a study of the simplified procedure, the sample had consisted only of five countries, which had made it difficult to draw any conclusions. He wondered whether OHCHR might conduct a study of the use and the impact of the simplified procedure. Recalling the Committee's recent consideration of the initial report of Seychelles via video link, he asked whether videoconferencing facilities could be improved in order to help small States to meet their reporting obligations. He would like information on the number of inquiries that each committee could carry out under the inquiry procedure. Lastly, he wondered whether it might be possible to align follow-up procedures across the committees and whether a secretariat focal point for follow-up might be designated.

7. **The Chair** said that the use of videoconferencing technology had made it possible to hold meetings with a large delegation from Seychelles. In his view, the meetings had gone well, despite minor technical issues.

8. **Ms. Gaer**, recalling past efforts by the secretariat to produce a calendar that harmonized States parties' reporting schedules across the different treaty bodies, asked whether more information might be provided on the schedules of the various treaty bodies so that they could better coordinate their reporting calendars and thereby avoid placing too heavy a reporting burden on States parties.

9. **Mr. Korkeakivi** (Office of the United Nations High Commissioner for Human Rights) said that OHCHR would work with the committee secretaries to ensure that all committees had the information they needed to enable them to better coordinate reporting by States parties. The simplified reporting procedure would be discussed at the 2019 meeting of the Chairs of the human rights treaty bodies. Before that, OHCHR was considering setting up a forum for treaty body members to discuss the issue and identify good practices with regard to reporting procedures and to consider the extent to which those procedures might be aligned. It was hoped that the Geneva Academy would help to organize and provide funding for such a forum. All treaty bodies would be encouraged to contribute to that discussion. Given the limited capacity and resources of OHCHR, it would not be able to undertake a major study of the impact of the simplified reporting procedure, but it could prepare a background paper, outlining the different approaches taken by the various treaty bodies.

10. The report of the Secretary-General on the status of the human rights treaty body system (A/71/118) had emphasized videoconferencing and webcasting as good practices. OHCHR remained reliant on voluntary funding from the European Union for those services, however. Further funding would enable it to improve their quality.

11. **Mr. Nowosad** (Office of the United Nations High Commissioner for Human Rights) said that the Geneva Academy was a platform for discussion. The idea was to work with the Academy to produce papers relating to the simplified reporting procedure, which could then be discussed as part of a participatory process based on open questions. It was true that the simplified procedure involved a heavy front-end workload for the secretariat, and careful consideration would have to be given to the number of lists of issues prior to reporting that it could handle. That issue and others would be addressed in a paper being produced by the Human Rights Committee, due to be released soon.

12. The United Nations Office at Geneva was keen on the use videoconferencing technology and many bodies were now using it extensively. Strict guidelines were applied to its use, including up to four technical tests in advance.

13. Treaty bodies were allowed one inquiry visit per year, although some bodies had not been allocated resources for visits by the General Assembly. While demand from treaty bodies for visits was growing, it was important, owing to resource constraints, not to do too much too fast. Some treaty bodies had begun reviewing their guidelines for follow-up and their approach to follow-up reports. The issue could perhaps be addressed at the weekly meeting of committee secretaries. Certainly better alignment of reporting schedules would be desirable, although it would be complicated to achieve, particularly bearing in mind that some States parties also had reporting requirements to regional mechanisms.

14. **Ms. Kountouri-Tapiero** (Office of the United Nations High Commissioner for Human Rights) said that the meeting of the Chairs of the human rights treaty bodies had discussed the issue of resources and had considered how the treaty body system might look in 10 years' time in an ideal world. That exercise might usefully inform future discussions on the system.

15. **The Chair** said that the Committee had discussed the treaty body strengthening process the previous day. A question that had arisen with respect to the suggestions from the Geneva Academy was whether it would be logistically feasible to hold the sessions of four or five treaty bodies at the same time. The scheduling of a "season" of treaty body meetings was likely to lead to uneven use of resources. The idea that a global reporting calendar would encourage States parties to report on time had also been questioned.

16. **Mr. Korkeakivi** (Office of the United Nations High Commissioner for Human Rights) said that the report on treaty body reform produced through the Geneva Academy by two members of the Human Rights Committee was not an OHCHR report. OHCHR had

made no in-depth analysis of the logistical feasibility of implementing the suggestions regarding a consolidated review calendar. A pilot project involving a couple of committees might be conducted to assess how the idea would work. No in-depth analysis had been made of the financial impact of such a calendar, either. Better alignment could help to improve coordination in the preparation of lists of issues prior to reporting. A clear procedure that was similar for all treaty bodies would also make the secretariat's job less taxing than the existing diverse approaches.

17. **Mr. Hani**, noting that Geneva was a long way to travel for many delegations, asked whether consideration was being given to holding Committee sessions in other locations, such as at United Nations regional offices.

18. **The Chair** said that the idea of moving towards a consolidated review calendar was a cause of concern for the specialized treaty bodies, both with regard to changes in reporting periodicity and potential issues relating to the maintenance of their specialized nature. The Committee had discussed how it might cope with a two- or three-fold increase in periodic reports and communications. Some suggestions from Committee members had included meeting in chambers, considering regional reviews and setting up small country teams.

19. **Mr. Hani**, noting that the number of country visits carried out per year by the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment had been reduced from 10 to 8, asked whether there was a possibility that the Subcommittee would receive any additional resources to help it perform its work, which informed the work of the Committee.

20. **Mr. Korkeakivi** (Office of the United Nations High Commissioner for Human Rights) said that consideration could be given to holding meetings of the treaty bodies at the regional level, although there would be logistical and other challenges. It would be interesting to see whether there was support for a consolidated review calendar within the other specialized treaty bodies. The Committee against Torture had shown that it could innovate and improve working methods; indeed, it had been the Committee that had developed the simplified reporting procedure. Meeting in chambers would help to increase the Committee's capacity to deal with more reports, but it would require more resources and a level of secretariat support similar to that needed for plenary sessions. The forthcoming report by the Secretary-General would address the issue of Subcommittee visits and the need to ensure adequate support for that mechanism.

21. **Mr. Nowosad** (Office of the United Nations High Commissioner for Human Rights) said that efforts to garner support for additional resources within the Third and Fifth Committees of the General Assembly had met with little success. He encouraged Committee members also to advocate for resources through the channels available to them. A recent letter from the Secretary-General to all staff had set out the budgetary difficulties caused by a lack of timely payment of assessed contributions by Member States. Clearly, resources would need to be rationalized. He saw merit in the idea of holding meetings at the regional level. Nevertheless, while some meeting costs would be lower in Bangkok, for example, than in Geneva, secretariat support would still be needed, and there would still be travel costs for Committee members. Construction work at the Palais des Nations, however, might soon force the treaty bodies to look elsewhere for meeting venues.

22. **The Chair** said that he found it a hopeful sign that the Committee had identified potential ways of coping with a significant increase in the number of reports examined, without completely changing how the Committee operated. The "Poznan formula" should be respected, however. The meeting time allocated under the formula should be maintained and the real problem identified — namely, insufficient secretariat support capacity. He would raise that point at the seventy-third session of the General Assembly.

The meeting rose at 1 p.m.